

"PATENT"

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
PER-INGVAR BRÄNEMARK)
SERIAL NO.: 10/540,085) Group Art Unit: Unknown
FILED: 20 June 2005) Examiner: UNKNOWN
FOR: FIXTURE)

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN
THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

This document is submitted in response to the NOTIFICATION OF MISSING REQUIREMENTS, dated 3 October 2005.

Transmitted herewith is the duly executed Declaration for Patent Application, and the Power of Attorney, and Statement Under 37 CFR 3.73(b), together with the required fee.

The Commissioner is hereby authorized to charge any fees that arise in connection with this filing which are not covered by the money enclosed, or credit any overpayment, to Deposit Account No. 02-0460.

Respectfully submitted,
PER-INGVAR BRÅNEMARK

By:



LAWRENCE A. MAXHAM
Attorney for Applicant
Registration No. 24,483

THE MAXHAM FIRM

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DOCKETED



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

OCT 16 2005

FILE #

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/540,085	Per-Ingvar Branemark	2816-3

INTERNATIONAL APPLICATION NO.

PCT/SE03/02014

I.A. FILING DATE	PRIORITY DATE
12/18/2003	12/19/2002

616
THE MAXHAM FIRM
750 "B" STREET, SUITE 3100
SAN DIEGO, CA 92101

RECEIVED

OCT 06 2005

THE MAXHAM FIRM

CONFIRMATION NO. 6431

371 FORMALITIES LETTER



OC000000017160205

Date Mailed: 10/03/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/20/2005
- Copy of the International Search Report filed on 06/20/2005
- Preliminary Amendments filed on 06/20/2005
- Oath or Declaration filed on 06/20/2005
- Small Entity Statement filed on 06/20/2005
- Request for Immediate Examination filed on 06/20/2005
- U.S. Basic National Fees filed on 06/20/2005
- Power of Attorney filed on 06/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

OCT 14 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.
Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 65.00)

Complete if Known

Application Number	10/540,085
Filing Date	20 June 2005
First Named Inventor	Per-Ingvar Bråmark
Examiner Name	
Art Unit	
Attorney Docket No.	2816-3

METHOD OF PAYMENT (check all that apply)
 Check Credit Card Money Order None Other (please identify): _____

 Deposit Account Deposit Account Number: 02-0460 Deposit Account Name: The Maxham Firm

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	
Utility	300	150	500	250	200	100	500
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEESFee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
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50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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$$\text{HP} = \text{highest number of total claims paid for, if greater than 20}$$

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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$$\text{HP} = \text{highest number of independent claims paid for, if greater than 3}$$
3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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$$\text{HP} = \text{highest number of additional sheets paid for, if greater than 100}$$
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Surcharge for late filing of Declaration

Fees Paid (\$)

\$65.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 24,483	Telephone 619-233-9004
Name (Print/Type)	Lawrence A. Maxham, Esq.	Date 12 October 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

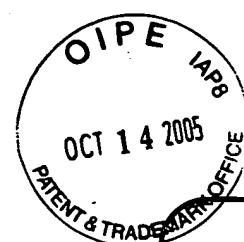
PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,085	PCT/SE03/02014	2816-3

FORM PCT/DO/EO/905 (371 Formalities Notice)



JC03 Rec'd PCT/P 14 OCT 2005

**TRANSMITTAL
FORM***(to be used for all correspondence after initial filing)*

Application Number	10/540,085
Filing Date	20 June 2005
First Named Inventor	Per-Ingvar Brånemark
Art Unit	
Examiner Name	
Attorney Docket Number	2816-3

ENCLOSURES

1. Fee Transmittal Form (1 page);
2. Copy of Notification of Missing Requirements Under 37 U.S.C. 371 (2 pages);
3. Response to Notification of Missing Requirements (2 pages);
4. Declaration for Patent Application (2 pages);
5. Power of Attorney (1 page);
6. Statement under 37 CFR 3.73(b) (1 page);
7. Check for \$65;
8. Return Postcard.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	The Maxham Firm Lawrence A. Maxham, Reg. No. 24,483
Signature	
Date	12 October 2005

CERTIFICATE OF MAILING/TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (USPTO) or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Lawrence A. Maxham, Reg. No. 24,483
Signature	
	Date 12 October 2005